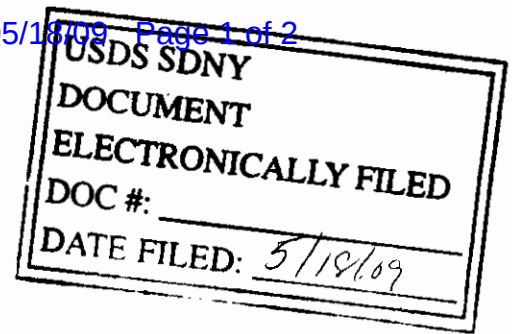


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



THE MCGRAW -HILL COMPANIES, INC.
Plaintiff,

-v-

FONIX CORPORATION,

Defendant,

No. 09 Civ. 01395 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

The above-entitled action has been assigned to my docket. Accordingly, the parties are hereby ORDERED to appear for a status conference on **June 24, 2009 at 9:00 a.m.** in **Courtroom 21C** of the United States District Court for the Southern District of New York, 500 Pearl Street, NYC.

IT IS HEREBY ORDERED that, by **4pm on June 18**, the parties shall jointly submit a letter, not to exceed five (5) pages, providing, in separate paragraphs:

- (1) A brief statement of the nature of the action and the principal defenses thereto;
- (2) A brief explanation of why jurisdiction and venue lie in this court;
- (3) A brief description of all outstanding motions and/or outstanding requests to file motions;
- (4) A brief description of any discovery (remaining), specifying that which is necessary for the parties to engage in meaningful settlement negotiations;
- (5) A list of all prior settlement discussions, including the date, the parties involved, and the approximate duration of such discussions, if any;
- (6) The estimated length of trial;
- (7) Any other information that you believe may assist this Court in resolving this action.

In addition, the parties are directed to complete the Case Management plan and Order that can be accessed from my Individual Rules on the SDNY website at http://www1.nysd.uscourts.gov/judge_info.php?id=99 and submit it to the Court not later than **4pm on June 18**.

The status letter and the proposed Case Management plan submitted to the Court pursuant to this Order should be emailed directly to my chambers at the following email address: **sullivanysdchambers@nysd.uscourts.gov**. Do not file thru ECF. Please consult my Individual Rules with respect to communications with chambers and related matters.

SO ORDERED.

DATED: May *17*, 2009
New York, New York


RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE